

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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BARBARA TORRISI,

Plaintiff,

Civ. No. 03-12372 NMG

v.

METROPOLITAN LIFE INSURANCE
COMPANY,

Defendant.

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**PLAINTIFF'S MOTION FOR ENLARGEMENT
OF TIME TO FILE DISCOVERY MOTION**

Plaintiff, BARBARA TORRISI, by and through her undersigned counsel, respectfully moves this Court for an Order, granting her Motion for Enlargement of Time to File Discovery Motion by an additional two weeks.

The parties appeared before the Court on September 30, 2004, for the initial scheduling conference in this case which involves the review of an ERISA plan's denial of long term disability benefits. At that time, the Court endorsed the parties' proposal, including in relevant part, that Requests for Production of Documents be served on or before October 15, 2004, and that any motion requesting additional discovery was to be filed with the Court by December 1, 2004.

After receiving a copy of the administrative record, Plaintiff served her Requests for Production of Documents on October 14, 2004. Defendant served its response to the requests on November 15, 2004. As the parties are in disagreement on discovery issues raised by the response, Plaintiff has undertaken to resolve the matter in accordance with Local Rule 37.1. However, as Plaintiff wishes to avoid any prejudice, she respectfully requests that the date by which any motion for discovery must be filed be enlarged by two weeks' time: on or before

December 15, 2004. Plaintiff remains hopeful that the parties may resolve their discovery disputes and thus avoid the need to file a motion concerning that subject.

Although consulted today by telephone concerning this motion, defendant has not specifically assented to the enlargement sought herein. Defendant would have the entire schedule extended; however, Plaintiff is of the mind that the extension of the entire briefing schedule is not necessary at this juncture.

WHEREFORE, Plaintiff respectfully requests an enlargement of the time to file a motion for discovery by two weeks, on or before December 15, 2004.

Respectfully submitted,

Dated: Haverhill, MA
December 1, 2004

PLAINTIFF
By her attorney,

LAW OFFICE OF
STEPHEN L. RAYMOND, ESQ.

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